Staff Summary Report



City Council Meeting Date: 01/08/04 Agenda Item Number: 56

SUBJECT: Request by Patrick Panetta, representing Arizona State University, to appeal the

conditions of a Redevelopment Review Commission approval (RRC 03049) for a sign request for Arizona State University, Institute for Computing & Information Sciences &

Engineering, located at 699 South Mill Avenue in the Brickyard.

DOCUMENT NAME: 20040108dswk10 REDEVELOPMENT REVIEW COMMISSION APPEAL 0406

SUPPORTING DOCS: Yes

COMMENTS: At its meeting of November 4, 2003, the Redevelopment Review Commission approved

the request to add signage to the Brickyard building, with additional conditions which

modified the text, location and quantity of the signs being requested.

PREPARED BY: Bill Kersbergen, Design Review Manager (480-350-8839)

REVIEWED BY: Melanie Hobden, Development Services Manager (480-350-8069)

RECOMMENDATION: Staff has categorized three responses, and recommends the approval of option number

3, which is a compromise position between the original request and what was approved.

ATTACHMENTS:

- 1. List of Attachments
- 2-3. Comments
- 4. Conditions of Approval
- 5-6. History & Facts
- A. Location Map
- B. Appeal Letter
- C. Applicant Narrative/Intent
- D. Sign Elevations north
- E. Sign Elevations east
- F. Sign Elevations south
- G. Sign Elevations west
- H. Sign Elevations artisan court
- I. Sign Detail
- J. RRC letter of approval
- K. Sketch allowed signage by criteria
- L. Sketch allowed signage by RRC
- M. Sketch requested signage by applicant
- N. Sketch compromise suggestion

COMMENTS:

Background: The design criteria for the Brickyard was reviewed and approved by the Design Review Board on January 10, 2001. Much discussion took place at the meeting and many conditions were applied to the approval. The criteria package allows "corporate identity" signage to be installed at the sixth floor level. There were specific conditions imposed which limited signage to one structural bay per tenant sign, and established maximums for this sign type. At the time the criteria was approved, it was envisioned that this building would be occupied be multiple tenants. Since that time, Arizona State University has entered into a lease agreement which occupies the majority of the building volume. The reality of today's situation is that we now have one tenant asking to fill that area which was previously reserved for several tenant signs.

When staff reviewed this application there were two primary concerns: 1. There were concerns regarding the request to have the individual sign area extend over several structural bays. The signs would be no taller than allowed by the criteria package, but they would be two and a half times the width. Discussions took place between the applicant and staff to work out the details necessary to attach to an uneven surface. 2. The total amount of sign area requested seemed excessive. The applicant is asking that we allow signage which would equate to eight times the area allowed for a single tenant.

When this application was forwarded to the Redevelopment Commission, staff recommended that signage be deleted from the east and west elevations of the Brickyard Building, allowing signage, as requested on the north and south facades of the Brickyard Building as well as the south façade of the Artisan Court Building. This proposal was roughly four times the area approved by the Design Review Board, with the original criteria approval, but given the singular tenant situation, acceptable to staff. Staff was comfortable with this proposal but in fairness to the applicant, forwarded the request to the RRC, to allow an open discussion, since it was a significant reduction in total sign area.

When the Redevelopment Review Commission heard the case, the commission modified the application as follows:

Condition number 4, **modified** to read. Delete "ARIZONA STATE UNIVERSITY – Institute for Computing & Information Sciences & Engineering" from the north, west and south facades of the Brickyard building. ASU logo to remain. Meet with Staff to coordinate exact location of logo.

Condition number 5, **added** to read. Delete "ARIZONA STATE UNIVERSITY" from the east facade of the Brickyard building. ASU logo and "Institute for Computing & Information Sciences & Engineering" to remain. Meet with Staff to coordinate exact location of logo.

This revision by the commission further reduced the allowable sign area for Arizona State University.

As noted in the attached plans, all of the proposed signs on the Brickyard building are located in *Zone 1A*. This is the designated zone that will house building mounted signs between the 5th and 6th floors of the structure on the north, south, east and west elevations. Designated sign locations within this zone are defined by the rectangular brick envelopes that are divided by the building's column elements. This zone provides four (4) possible sign locations on both of the east and west building elevations, while three (3) locations are possible on each of the north and south elevations. Of the fourteen (14) possible locations, only four (4) may be occupied by signage. The new tenant, ASU, is proposing to utilize twelve (12) of the fourteen (14) sign envelope locations. Staff would also like to point out

that the package criteria restricts all signs in *Zone 1A* to non-illuminated metal letters. The "ASU" logo for proposed sign (a) does not conform to this criteria.

<u>Analysis</u>: The applicant requests to increase the maximum allowable sign area from 80.s.f. to 630 s.f. In total, the sign request before you is in excess of what the package criteria and the Zoning Ordinance allows. The Redevelopment Review Commission approved signage and variances allowing a maximum area increase to 234 s.f., and a maximum height restriction of 76'-0".

Recommendation: Staff recommends a compromise between what Arizona State University has requested and what the Redevelopment Review Commission approved, namely that the ASU sign area on the Brickyard building be reduced to eliminate all of the proposed signs on the east and west elevations, limiting all signage to the north and south building elevations, allowing visibility from northbound and southbound Mill Avenue traffic and from the ASU campus. Such a scenario would reduce the maximum sign area requested to 329 s.f. It should be noted that the proposed Artisan Court signage, sign (c), is supported by staff and complies with the sign package criteria.

This is reflected on the Conditions of Approval as Option 3.

CONDITION(S) OF APPROVAL:

Option 1: If the Council chooses to uphold the decision of the Redevelopment Review Commission, the following variances and conditions will remain in effect:

Variances

- 1. Increase the maximum allowable sign area from 80 s.f. to 234 s.f.
- 2. Increase the maximum allowable sign location height on the building from 35 feet above grade to 76 feet.

Conditions

- 1. Obtain sign permits prior to the installation of any signs. All Design Review Board staff and Redevelopment Review Committee conditions of approval shall be adhered to prior to the variance becoming effective.
- 2. The variance is not transferable. Variance is valid for ASU only.
- 3. Delete "ARIZONA STATE UNIVERSITY Institute for Computing & Information Sciences & Engineering" from the north, west and south facades of the Brickyard building. ASU logo to remain. Meet with Staff to coordinate exact location of logo.
- 4. Delete "ARIZONA STATE UNIVERSITY" from the east facade of the Brickyard building. ASU logo and "Institute for Computing & Information Sciences & Engineering" to remain. Meet with Staff to coordinate exact location of logo.
- 5. No exposed conduit allowed for any signs.

Option 2: If the Council should choose to approve the application as presented by the applicant, the following conditions of approval shall apply:

Variances

- 1. Increase the maximum allowable sign area from 80 s.f. to 630 s.f.
- 2. Increase the maximum allowable sign location height on the building from 35 feet above grade to 76 feet.

Conditions

- 1. All Design Review Board staff and Redevelopment Review Committee conditions of approval shall be adhered to prior to the variance becoming effective.
- 2. The variance is not transferable. Variance is valid for ASU only.
- 3. Obtain sign permits prior to installing new signs.
- 4. No exposed conduit allowed for any signs.

Option 3: If the Council should choose to approve the application as presented by staff, the following conditions of approval shall apply:

Variances

- 1. Increase the maximum allowable sign area from 80 s.f. to 329 s.f.
- 2. Increase the maximum allowable sign location height on the building from 35 feet above grade to 76 feet.

Conditions

- 1. All City Council conditions of approval shall be adhered to prior to the variance becoming effective.
- 2. The variance is not transferable. Variance is valid for ASU only.
- 3. Obtain sign permits prior to installing new signs.
- 4. Delete all proposed signs on the east and west elevations of the Brickyard building.
- 5. No exposed conduit allowed for any signs.

HISTORY & FACTS:

<u>January 6, 1999.</u> Design Review Board approved the request by 7th & Mill Redevelopment for building elevations, site plan and landscape plan.

January 21, 1999. City Council approved the request by 7th & Mill Redevelopment (MCW Holdings, property owner) for a site plan for a mixed-use development for three new buildings, including; a new Bank of America building with 72,432 s.f. retail and 104,581 s.f. office; a new Myrtle Court building with 38,176 s.f. retail and 147,221 s.f. residential (live/work); and a new Artisan Court building with 8,308 s.f. of retail/workshop space. These approvals included the following:

- a. A Site Plan (SIP-98.50) for 7th and Mill Redevelopment for 396,682 s.f. of total building area for retail, restaurant, and office; 122 units of residential live/work units; and a 230,244 s.f. parking garage (2 levels underground with 782 parking spaces), all on 2.8 net acres.
- b. Use permits; 1) to allow general retail, general office, medical/dental office, art gallery and restaurant uses, without entertainment, in the CCD Zoning District; 2) to allow all uses to be parked by a shared parking model; 3) to allow live/work condominium units.
- c. Variances for the following;
 - 1. Reduce all required front and street side yard building and landscape setbacks to 0' to allow the buildings to be located at the back of the sidewalk.
 - 2. Increase the allowed height of the Myrtle Court building from 35' to:
 - a) 98' to top of roof,
 - b) 104' to top of parapet.
 - 3. Increase the allowed height of Bank of America building from 35' to:
 - a) 91' to top of roof,
 - b) 100' to top of parapet,
 - c) 111" to top of parapet of mechanical penthouse.
 - 4. Increase the allowed building height of the mechanical penthouse for the Myrtle Court building from 12' to 29', and for the Bank of America building from 12' to 20'.
 - 5. Increase the allowed height of a parapet for the Myrtle Court building from 5' to 8', and from 5' to 11' for the Bank of America building.
 - 6. Waive required landscape islands at the ends of a row of parking in the Artisan Court.
 - 7. Waive the required wall between Myrtle Court building and Governor Moeur House.
 - 8. Reduce the minimum courtyard separation from 50' to 25" between Artisan Court building and Bank of America building, and from 50' to 20' between Myrtle Court building and the existing building.
 - 9. Reduce the required number of bicycle parking spaces from 358 to 120.

<u>February 4, 1999.</u> City Council approved the request by 7th & Mill Redevelopment (MCW Holdings, property owner) for a 1-lot subdivision and a condominium map for the Bank of America building, the Artisan Court building, and Myrtle Court building, including 122 dwelling units and a 2-level parking garage. The applicant proposes to combine the existing lots into one parcel and then convert the proposed buildings into condominiums for potential future sale. City Council also approved the following:

- a. A Final Subdivision Plat (#SD-9903) for 1 lot on 2.7 net acres.
- b. A Horizontal Regime (Condominium Map) (#SH-99.04) for residential, parking garage, retail and office.

October 19, 1999. The Hearing Officer approved the request by Brickyard on Mill to increase the maximum allowable size for a temporary construction sign from 32 s.f. to 2,520 s.f.

May 2, 2000. The Hearing Officer approved the request by Brickyard on Mill for variances to increase the maximum allowable size of one (1) freestanding construction sign from 32 s.f. to 428 s.f., and to increase the height of one (1) freestanding construction sign from eight (8) feet to twelve (12) feet.

<u>July 19, 2000.</u> Design Review Board approved the request by Brickyard on Mill – Artisan Court for building elevation modifications.

<u>January 3, 2001</u>. The Design Review Board continued the request by Brickyard on Mill for a sign package.

<u>January 10, 2001.</u> The Design Review Board approved the Sign Package for the Brickyard on Mill located at 699 South Mill Avenue in the CCD, Central Commercial District.

October 2, 2001. The Hearing Officer approved a variance request by Bamboo Club to increase the maximum allowable sign area from 40 s.f. to 111.79 s.f.

May 1, 2002. The Design Review Board continued the request by the Bamboo Club of Tempe for a canopy sign.

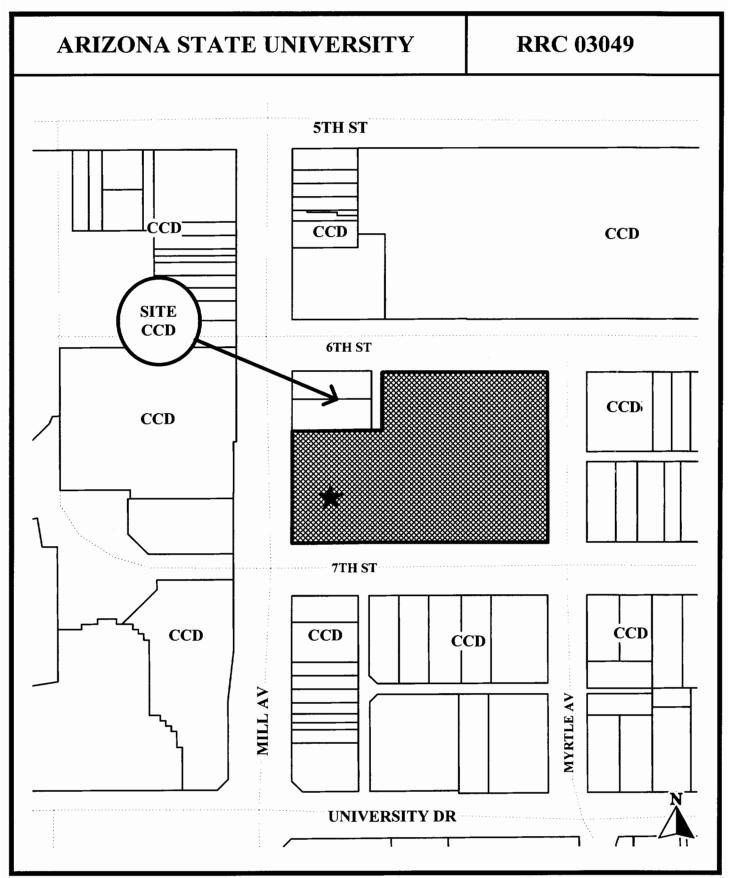
<u>June 5, 2002.</u> The Design Review Board denied the request for a canopy sign for Brickyard on Mill – Bamboo Club of Tempe located at 699 South Mill Avenue in the CCD, Central Commercial District.

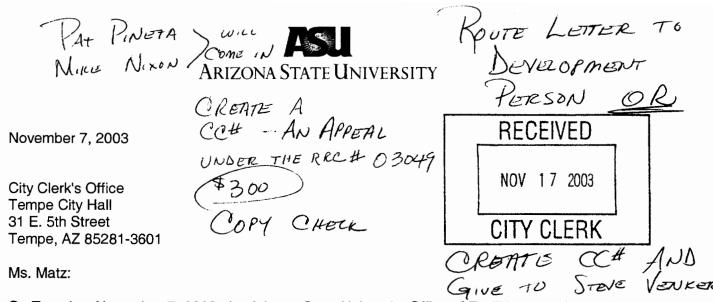
November 4, 2003. The Redevelopment Review Commission approved the request for ASU at the Brickyard for two sign variances to allow an increase in sign area and sign height for tenant identification signs and five building identification signs with conditions.

DESCRIPTION:

Owner – JVT Asset Management Applicant – Patrick Panetta, Arizona State University Existing zoning – CCD, Central Commercial District Maximum Allowed Signage: 80 s.f.







On Tuesday, November 7, 2003, the Arizona State University Office of Facilities Planning and Space Management (FPSM) presented to the City of Tempe Redevelopment Review Commission (RRC), a proposed signage package for The Brickyard complex in downtown Tempe. The RRC only partially approved this requested package, rejecting the requested variance amount for allowable sign square footage, and agreeing to only approximately a quarter of the requested signage.

As the major tenant of the Brickyard, a request was made by the University for ASU logos and signage on all four sides of the building. We believe that the University investment and presence in the downtown is of significant importance to both City and ASU. As such, it is vital that signage and University identity be visible. The building design and scale is such that it makes it difficult to view any two sides at the same time warranting our request.

The University wishes to appeal the decision of the RRC to the City Council, and requests that the initial signage proposal be reconsidered in whole as originally submitted and presented.

Thank you for your consideration and action on this request.

Sincerely,

Executive Vice President, Administration and Finance

Arizona State University

c: Ms. Melanie Hobson, Development Service Manager, City of Tempe

Mr. Neil Giuliano, Mayor, City of Tempe

Ms. Barbara Carter, Vice Mayor, City of Tempe

Mr. Ben Arredondo, Council member, City of Tempe

Mr. Dennis Cahill, Council member, City of Tempe

Mr. Len Copple, Council member, City of Tempe

Ms. Pam Goronkin, Council member, City of Tempe

Mr. Mark Mitchell, Council member, City of Tempe



Since 1961

October 7, 2003

Attn: Redevelopment Review Commission
City of Tempe
Development Services Dept.
P.O. Box 5002
31 East Fifth St.
Tempe, AZ 85280-5002

To whom it may concern:

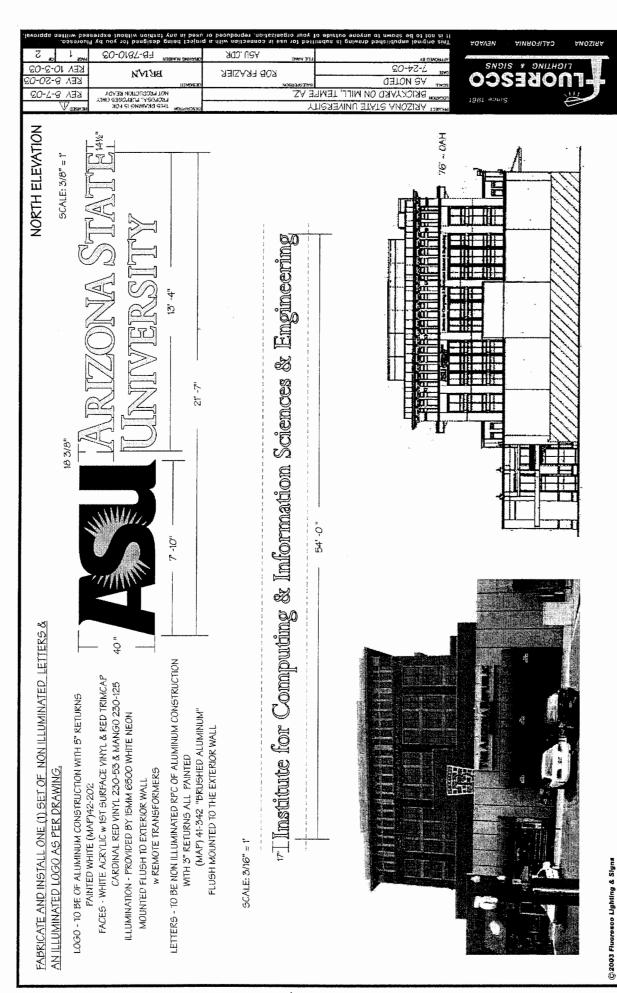
Thank you for reviewing our request for these two variances.

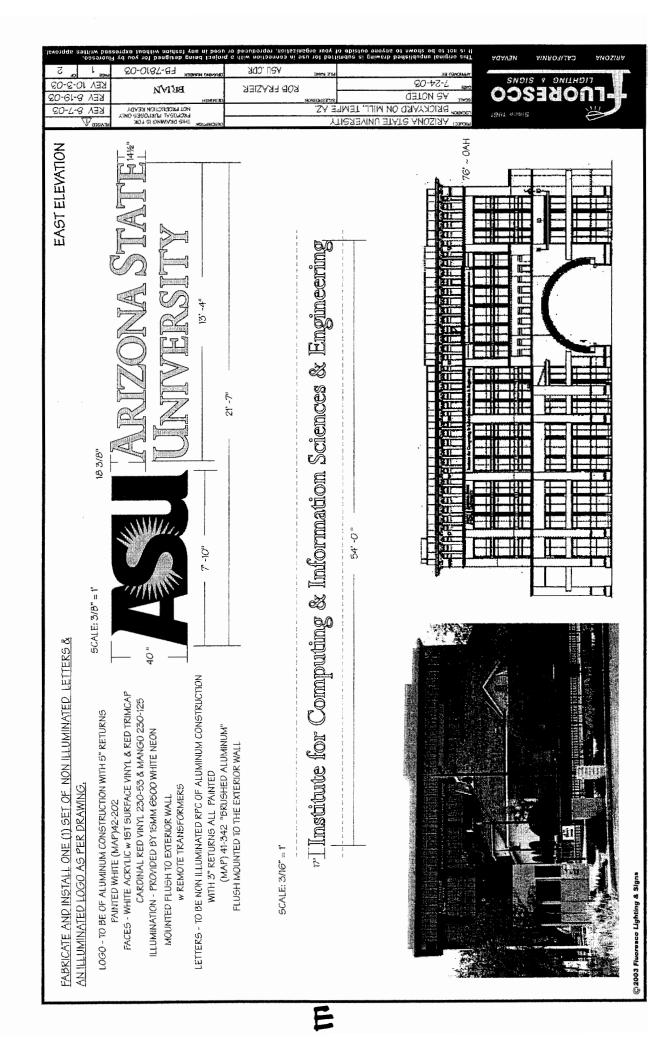
We are requesting variances to increase the overall signage square footage from 80 square feet to 588.20 as well as a variance to increase the overall signage placement height on the building from 35' to 76'.

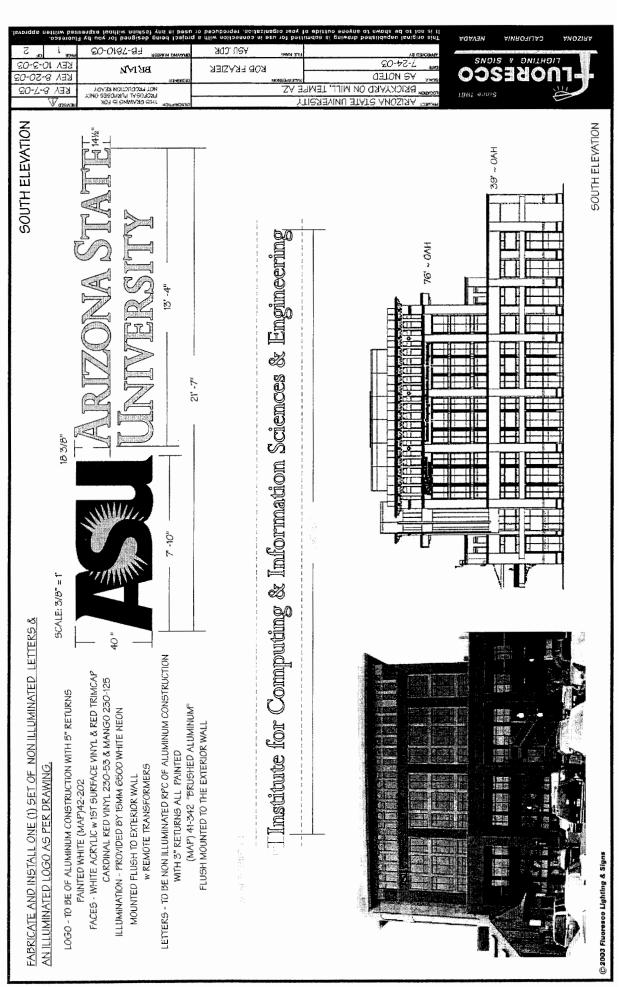
Attached are our submittals as required. Please feel free to contact me if you have any questions or require any additional information.

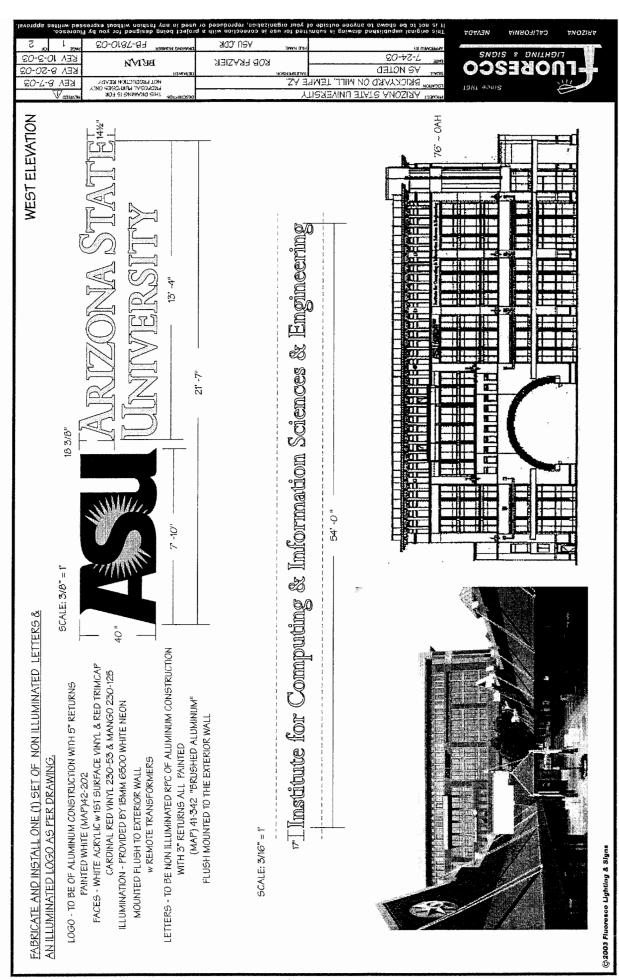
Respectfully,

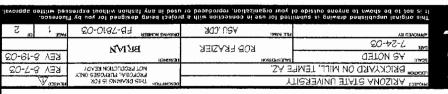
Rob Frazier, Account Executive







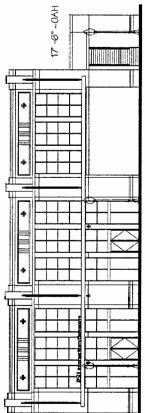




SCALE: 1/2" = 1"

17 -0"





inanana.

ILLUMINATED CHANNEL LETTERS & LOGOS AS PER DRAWING. FABRICATE AND INSTALL ONE (1) SET OF RACEWAY MOUNTED

ARTISIAN SOUTH ELEVATION

LOGOS - TO BE OF ALUMINUM CONSTRUCTION WITH 5" RETURNS

PAINTED WHITE (MAP) 42-202 FACES - WHITE ACRYLIC W 15T SURFACE VINYL & RED TRIMCAP

LETTERS - TO BE OF ALUMINUM CONSTRUCTION WITH 5" RETURNS CARDINAL RED VINYL 230-53 & MANGO 230-125

PAINTED BLACK (MAP)41-335 FACES - WHITE ACRYLIC w BLACK TRIMCAP

ILLUMINATION - PROVIDED BY 12MM 6500 WHITE NEON

RACEWAY - 7" CONSTRUCTED FOR BOTTOM MOUNTING PAINTED TO MATCH "I" BEAM

18



NON JULUMINATED. REY CHANNEL LETTER SECTION



FABRICATE AND INSTALL ONE (1) SET OF NON ILLUMINATED LETTERS &

AN ILLUMINATED LOGO AS PER DRAWING.

LETTERS - TO BE NON ILLUMINATED RPC OF ALUMINUM CONSTRUCTION

w REMOTE TRANSFORMERS

MOUNTED FLUSH TO EXTERIOR WALL.

WITH 3" RETURNS ALL PAINTED

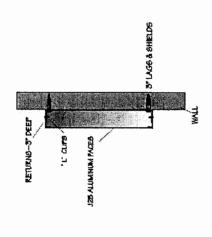
(MAP) 41-342 "BRUSHED ALUMINUM" FLUSH MOUNTED TO THE EXTERIOR WALL

FACES - WHITE ACRYLIC w 19T SURFACE VINYL & RED TRIMCAP CARDINAL RED VINYL 230-53 & MANGO 250-125

ILLUMINATION - PROVIDED BY 15MM 6500 WHITE NEON

LOGO - TO BE OF ALUMINUM CONSTRUCTION WITH 5" RETURNS

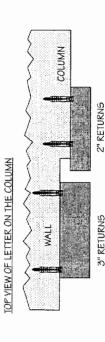
PAINTED WHITE (MAP)42-202







18 3/8"



©2003 Fluoresco Ughting & Signs



The Tempe Way

Our Mission To make Tempe the best place to live, work and play.

We Value People... Integrity... Respect... Openness... Creativity... Quality.

Development Services
Department

(480) 350-8331

November 12, 2003

Rob Frazier Fluoresco Lighting & Signs 3000 East Chambers Street Phoenix AZ 85040

RE:

RRC03049 - ASU AT THE BRICKYARD

DS031103

Dear Mr. Frazier:

At its meeting of November 4, 2003, the Redevelopment Review Commission approved the request for **ASU AT THE BRICKYARD** for two sign variances to allow an increase in sign area and sign height for tenant identification signs and review design for five building identification signs, located at 699 South Mill Avenue in the CCD, Central Commercial District, subject to the following conditions:

- 1. All Design Review Board staff and Redevelopment Review Committee conditions of approval shall be adhered to prior to the variance becoming effective.
- 2. The variance is not transferable. Variance is valid for ASU only.
- Obtain sign permits prior to installing new signs.
- Delete all proposed signs on the east and west elevations of the Brickyard building.
- 4. Delete "ARIZONA STATE UNIVERSITY Institute for Computing & Information Sciences & Engineering" from the north, west and south facades of the Brickyard building. ASU logo to remain. Meet with Staff to coordinate exact location of logo. (Added by the Commission)
- 5. Delete "ARIZONA STATE UNIVERSITY from the east façade of the Brickyard building. ASU logo and "Institute for Computing & Information Sciences & Engineering" copy to remain. Meet with Staff to coordinate exact location of logo. (Added by the Commission)
- No exposed conduit allowed for any signs.

If you have any questions please contact me at (480) 350-8839.

Sincerely,

Bill Kersbergen Principal Planner

AM KUNDU

Development Services Department

BK/dg Copy: File

